

**LACASSE & ASSOCIATES**

PROFESSIONAL PATENT SERVICES

1725 Duke Street, Suite 650

Alexandria, Virginia 22314

Phone (703) 838-7683/Facsimile (703) 838-7684

E-Mail: patserv@lacasse-patents.com

RECEIVED
CENTRAL FAX CENTER

MAR 21 2005

CONFIDENTIAL
FACSIMILE TRANSMITTAL SHEET**DATE SENT:** March 21, 2005**DELIVER TO:**Name: Examiner Susanna DiazCompany: USPTO / GAU 3623Fax No: 703-872-9306**FROM:** Jaclyn A. Schade**YOUR FILE:** 09/556,303

Best Available Copy

THERE WILL BE A TOTAL OF 2 / PAGE(S) INCLUDING THIS COVER SHEET.
OUR FACSIMILE MACHINE COMMUNICATES WITH ALL GROUP III, II AND FM6
MACHINES.

NOTICE: The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee, or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the Postal Service.

- Transmittal Form
- Fee Transmittal
- Appeal Brief

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/556,303
		Filing Date Apr 24, 2000
		First Named Inventor Ruvolo, Joann
		Art Unit 3623
		Examiner Name Susanna Diaz
Total Number of Pages in This Submission 1		Attorney Docket Number AM9-99-0134

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Lacasse & Associates, LLC
Signature <i>Jaclyn A. Schade</i>
Date March 21, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name Jaclyn A. Schade	Signature <i>Jaclyn A. Schade</i>	Date	March 21, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTD-0199 and select option 2

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,500.00)

Complete if Known

Application Number	08/556,303
Filing Date	4/24/2000
First Named Inventor	Ruvolo, et al.
Examiner Name	Susanna Diaz
Art Unit	3623
Attorney Docket No.	AM9-99-0134

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number	12-0010
Deposit Account Name	Lacasse & Associates, LLC

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
Independent		-20**=	X	
Claims		-3**=	X	

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	**Reissues independent claims over original patent	
1205 18	2205 9	**Reissues claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

* or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,620	1812 2,620	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1281 110	2251 65	Extension for reply within first month	
1262 430	2252 215	Extension for reply within second month	
1253 980	2253 480	Extension for reply within third month	
1254 1,630	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 600	2402 250	Filing a brief in support of an appeal	500
1403 300	2403 150	Request for oral hearing	
1451 1,610	1451 1,510	Petition to institute a public use proceeding	
1452 110	2462 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 480	2602 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 60	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 780	2809 385	Filing a submission after final rejection (37 CFR 1.128(a))	
1810 780	2810 385	For each additional invention to be examined (37 CFR 1.128(b))	
1801 780	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$500)

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Jaclyn A. Schade	Registration No. (Attorney/Agent)	50569	Telephone (703) 838-7683
Signature		Date	3/21/05	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit which is to the (and by the including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

COPY

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **500.00**

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account

Deposit Account Number	12-0010
Deposit Account Name	Lacasse & Associates, LLC

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 780	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 780	2004 395	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$) **0****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		-20**	X	
		.3**	X	

Multiple Dependent

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 68	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 68	2204 44	**Reissue Independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) **0**

- or number previously paid, if greater. For Reissues, see above

Other fee (specify)

Reduced by Basic Filing Fee Paid

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,620	For filing a request for ex parte reexamination	
1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 65	Extension for reply within first month	
1252 430	2282 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1265 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	500
1402 500	2402 250	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2463 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 480	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2609 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

SUBTOTAL (3) (\$) **500****SUBMITTED BY**

Name (Print/Type)	Jaclyn A. Schade	Registration No. (Attorney/Agent)	50569	Telephone	(703) 838-7683
Signature				Date	3/21/05

Complete if applicable

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR-21-2005 MON 06:11 PM LACASSE AND ASSOCIATES

FAX NO. 7038387684

P. 05

RECEIVED
CENTRAL FAX CENTER

MAR 21 2005

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPEAL BRIEF - 37 C.F.R § 1.192

U.S. Patent Application 09/556,303 entitled,
"SYSTEM AND METHOD FOR MATCHING ENTITIES UTILIZING
AN ELECTRONIC CALENDAR SYSTEM"

Real Party in Interest: International Business Machines Corporation

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

Related Appeals and Interferences:

None

Status of Claims:

Claims 23-39 are pending.

Claims 23-39 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Perlman (USP 5,558,339).

Status of Amendments:

Amendment After Final filed 12/08/2004 was not entered.

Summary of Claimed Subject Matter:

(NOTE: All citations are made from the original specification, including the figures.)

The present invention provides an electronic calendar event (*element 124*) matching system (*figure 1A*) that comprises a calendar store (*element 120; page 9, lines 8-12*) and a match server (*element 100*) operatively connected to the calendar store by an electronic calendar application (*element 132; page 9, line 21-page 10, line 7*). The match server comprises a request handler (*element 108*) operatively connected to an event handler (*element 106*). The request handler routes requests for calendar event functions to the event handler, and the event handler allows for the registration, modification, or deletion of an event (*figures 2, 3, and 4; page 10, lines 9-13*). The match server also comprises an event repository (*element 102*) that cooperates with the event handler to store and update calendar event functions (*page 10, lines 13-14*), and a response handler (*element 110*) operatively notifying a requesting first entity that the calendar event has been registered, modified, or deleted (*page 10, line 14*). The match server also comprises a match engine (*element 112*) for performing a search of the event repository to locate a match for registered events of the first entity with a registered event of at least one second entity. The match fulfills the period of time, event criteria, minimum matching requirements, and attributes of an activity or an entity (*figures 1A and 1B; elements 122, 126, 128; page 2, lines 16-20; page 9, lines 13-17; page 10, lines 15-17; and page 12, lines 8-14*). The system of the present invention may further comprise a timer module (*figure 1A; element*

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

104), such that the match engine searches for matching events according to a schedule of the timer module (page 12, lines 5-6). The response handler (element 110) may notify the first entity and the second entity via said electronic calendar application (element 132; page 10, lines 16-17; page 11, lines 1-2) of a match. In addition, the calendar event functions may comprise categories (figure 1B; page 4, lines 5-11; page 8, lines 3-5). The categories may comprise: personal matching, job positions, job qualifications, meetings and activities (figures 6B, 7A, and 7B; page 4, lines 5-1; page 15; lines 8-11 and 13-21). The system may be implemented locally or remotely on one or more computer-based systems, across networks or existing communication mediums, or LANs, WANs, cellular, Internet or Web based networks (page 16, lines 1-7).

The present invention claims a method for determining a match for electronic calendar events (element 124). The method comprises the following steps: registering and storing said calendar events in an event repository (element 102) of an electronic calendaring system (element 132), the calendar event elements comprising: specific event criteria, event match requirements, and attributes (figure 1A; elements 126, 128; page 10, lines 5-16), notifying each event owner that said calendar event is registered (page 10, lines 16-17; page 11, lines 1-2), searching said event repository to match registered events, the match considering said event occurring during a period of time and satisfying at least the specific event criteria of the calendar event elements (page 12, lines 8-14; page 13, lines 17-18; element 510), electronically updating said event to reflect a match by adding event owners as attendees (figure 1A; element 122; figures 4-5; element 514; page 12, lines 3-5), and, if the event match requirements and attributes are satisfied (element 518), moving the matched events from an event repository to a match repository (element 520) and notifying the attendees of the match (element 516), else, returning to the searching step until all calendar elements are fully satisfied (figure 5; page 11, lines 8-22 and page 13, line 17-page 14, line 6). Again, the calendar event elements may be represented by one or more categories (figure 1B; page 4, lines 5-11; page 8, lines 3-5), comprising personal matching, job positions, job qualifications, or meetings and activities (figures 6B, 7A, and 7B; page 4, lines 5-1; page 15; lines 8-11 and 13-21). The method may be implemented locally or remotely on one or more computer-based systems, across networks or existing communication mediums, or LANs, WANs, cellular, Internet or Web based networks (page 16, lines 1-7).

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

Further, the method may also include a fully satisfied event (*element 500*) matching initiate removing the matched calendar events from the event repository (*element 502; figures 4-5; page 13, lines 8-10*). The matches may also be modified to remove, from the matched event, an attendee who deletes the matched event (*figure 4; elements 422, 432, and 436; page 13, lines 1-15*).

An article of manufacture according to the present invention comprises a computer user medium having computer readable program code embodied therein which provides a generic matching service utilizing an electronic calendar system including calendar events (*page 16, lines 1-7*). The article of manufacture comprises: computer readable program code for registering and storing calendar events (*element 124*) in an event repository (*element 102*), wherein the calendar event elements comprise: specific event criteria, event match requirements, and attributes (*figure 1A; elements 126, 128; page 10, lines 5-16*), computer readable program code for notifying each event owner that the calendar event is registered (*page 10, lines 16-17; page 11, lines 1-2*), computer readable program code for searching the event repository to match registered events, the match considering said event occurring during a period of time and satisfying at least the specific event criteria of the calendar event elements (*page 12, lines 8-14; page 13, lines 17-18*), computer readable program code for updating the event to reflect a match by adding event owners as attendees (*figure 1A; element 122; figures 4-5; element 514; page 12, lines 3-5*), computer readable program code to determine if the event match requirements and attributes are fully satisfied (*element 518*), and, if fully satisfied, the code moving the matched events from an event repository to a match repository and notifying the attendees of said match (*elements 516, 520*), else, the code returning to the searching step until all calendar elements are fully satisfied (*figure 5; page 11, lines 8-22 and page 13, line 17-page 14, line 6*).

Grounds of Rejection to be Reviewed on Appeal:

1. Were there sufficient reasons for non-entry of the "After Final" amendment
2. Was a proper rejection made under 35 U.S.C. § 102(b) using existing USPTO guidelines?

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

ARGUMENT:

1. Were there sufficient reasons for non-entry of the "After Final" amendment?
A final rejection was issued on October 21, 2004, wherein the pending claims were rejected under 35 U.S.C. § 102(b) as being anticipated by the Perlman reference. An in-person interview was held on November 10, 2004 with Examiner Susanna Diaz. Specific language was discussed during the interview to overcome the rejection. Applicants felt that the clarifications in language provided to the examiner were understood. Changes were made to the independent claims, and the recommendations in the Interview Summary were incorporated. An amendment after final was filed on December 8, 2004. An advisory action was issued on December 22, 2004, stating the proposed amendments raised new issues that require further consideration. Applicants were surprised to receive the advisory action, as the language added to the pending claims was discussed and incorporated for clarification purposes. Applicants felt that the amendment was done in good faith and that no new matter was added, and therefore the amendment should have been entered.

2. Was a proper rejection made under 35 U.S.C. § 102(b) using existing USPTO guidelines?

REJECTIONS UNDER 35 U.S.C. § 102(b)

The examiner has rejected claims 23-39 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,558,339 (Perlman), hereafter Perlman.

To be properly rejected under 35 U.S.C. § 102(b), each and every claim element must be shown in a single reference. Applicant, however, contend that the Perlman references fails to teach or suggest many of the limitations of the pending claims. The present invention's goal is to integrate the time scheduling of a calendar system with a matching service, therefore allowing a user not only to be presented with a match of similar interests or needs, but also to allow a user to locate other entities or parties who can participate in the match interest or need during a particular period of time. Perlman does not describe or suggest the use of an electronic calendar event matching system—a fundamental limitation of the applicant's claims. Furthermore, Perlman does not disclose an electronic calendaring system with time-based matching of activities. In fact, Perlman teaches away from the present invention by describing a real-time

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

matching system with no consideration of calendar events that are of a period of time. Perlman has no use for calendar events as all matching is performed for users that are simultaneously online at the same time. As logging-in is a requirement for Perlman, the use of Perlman with a calendar matching system as described in the present invention would be inoperative and would not achieve the stated goal of event matching. More specifically, Perlman fails to disclose or anticipate an electronic calendaring system that uses a match server comprising a match engine that automatically performs a search to match calendar events of two entities during a specific period of time and having specific criteria, requirements, and attributes.

With regard to claim 23, Perlman does not disclose any type of electronic calendar event matching system or calendar store as described in the claims of the present invention. The calendar store of the present invention retains the properties and calendar components of a single or multiple calendars. The examiner states that a calendar store and a match server are used in Perlman. However, Perlman fails to mention a calendar store and calendar events as a part of the search criteria for a match. The use of a calendar is not present or suggested in Perlman nor is it described as provided by the examiner.

Perlman further fails to disclose the period of time of an event as a part of the search criteria. In the present invention, the period of time is an identifying search criterion. That is, the entity creating the calendar event specifies when—a date, time, or time period, for example—the event will take place for which an activity or similar search request is to take place in order to locate a match. For example, a user has free time to play amateur tennis on next Thursday from 5:00 to 7:00 PM. The present invention includes those matches that include both the time (date and time of day) and match specifics (e.g., place, competitive level, etc.). On page 3 of the rejection, the examiner states that column 11, lines 11-43 teaches users may be matched together to play a game in real-time, where “in real-time is indicative of a time period.” The examiner also states on page 3 that Perlman has an embodiment that searches for matches “until a specified time out period expires,” indicating “a record of a user’s event requirements...until the end of an event time period.” However, the location of a match in Perlman is for an event that is to take place currently or in real-time. In the present invention, a calendar event occurs during a specified period of time. For example, on page 8, lines 14-20 of the specification and figures 1B, 6A, and 7A, the calendar event matches are defined by a particular time period that is

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

defined by an entity. Perlman does not search for matches that occur during a specified time and does not integrate a matching service with an electronic calendaring system. The prior art of Perlman does not consider 'time' as a parameter in search algorithms as it is only performed when the users are logged in to provide real-time interaction.

The examiner responds to the applicant on page 4 that the term "calendar" is broad and that the Perlman reference implies that the desire of the game users "to play a game on the current date may be interpreted as a calendar event" and that the "game matching criteria...exemplifies calendar entries." However, the Perlman reference discloses real-time interaction for playing games and does not discuss the use of a calendaring system at all. Since the Perlman reference is used for playing a game at the current time that users log in and does not use a calendaring system, it can not anticipate the claimed invention. Furthermore, Perlman does not require users to define a period or duration of time for game play or define a date (i.e., calendar date) of game play as in the present invention. Additionally, the examiner states that the "claimed invention does not recite specific details regarding the structural arrangement of the calendar or how the calendar elements are searched and matched." The examiner states again (with regard to claim 38) on page 6 that "the claimed invention does not specify any details regarding how the recited calendar is to be structured." However, it can be seen that the focus of the present claims are the elements of the electronic calendar system. The structure of the calendar is not the focus of the present invention, but rather the system used to search and obtain event matches. Perlman does not describe the use of a match server that is connected to a calendar store by an electronic calendar application. The match server of the present invention comprises elements that locate an event match according to a calendar entry. As the calendar component of the claims of the present invention is not disclosed or described at all in the Perlman reference, Perlman fails to provide the basic elements of each of the claims.

Perlman does not disclose an event repository, response handler, or match engine in a match server that is part of an electronic calendar system. In addition, Perlman does not register, store, notify, search, delete or update a user's electronic calendar as identified in the present invention, and therefore is not described or anticipated. The use of a match engine for performing a search and finding a match—that is, "how" the elements are searched and matched—finds a matching event based on the period of time, event criteria, minimum matching

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

requirements, and attributes is also claimed in claim 23.

Noting the above, the Perlman reference fails to anticipate or render obvious many of the present invention's claimed limitations.

Because Perlman fails to provide or anticipate each and every element in claim 23, dependent claims 24-31 are not anticipated by Perlman as they inherit the limitations of the independent claim. The timer module of dependent claim 24 is used to schedule matching searches on a regular interval for calendar entries. On page 4 the examiner states that "claim 24 does not explain what a 'timer module' is, and that there is no "functionality associated with the timer module." However, a closer reading of claim 24 states that the timer module is used to match events according to its schedule. Additional support is provided on page 12 of the specification, where it is stated that the timer module "is utilized to schedule the matching searches on a regular interval," and on page 14 of the specification, the match engine searches the repository "to find a suitable match to the event at specified times indicated by timer module." That is, the match engine may search the repository, for example, every hour until a match is found. Therefore, the fact that Perlman begins performing matches upon a user's log in does not read on the currently claimed timer module. Furthermore, claim 24 is dependent on claim 23. Since Perlman does not show or anticipate the elements of claim 23, it does not read on the present invention.

The examiner states Perlman, column 10, line 1 – column 11, line 49 describes timing that begins performing matches whenever a user logs in. Rather, the Perlman reference discloses that the user (User A) must specify and request the software to make a match for playing the real-time video game. The present invention uses a match engine to search the event repository and locate a match. The user defines the specific date, time, etc. of an activity as well as the criteria, etc. for the event. Perlman only allows a user to locate a match in real-time and at the present moment when the user is logged into the system. Since the presently claimed invention identifies the scheduling of an event to be a criterion for the matching process, and the timer module is used to regularly perform searches for matches, Perlman does not anticipate the present invention. Also, Perlman does not notify entities of a match via an electronic calendar.

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

application as described in claim 25. The examiner clearly states on page 5 that "Perlman's system operates on the premise of an implied date and time." The "implied" date and time, however, is of the current or present date and within the next few minutes. As previously noted, the current claims require matching of a calendar event that will occur during a particular period of time. The Perlman reference does not claim an electronic calendaring system and does not state or imply the scheduling and matching of a calendar event.

The examiner states that a "video game" category is described in column 11, lines 11-12. However, Perlman does not discuss the use of categories nor does it describes at least one of personal matching, job qualifications, meetings, and activities as described in claims 26 and 27 of the present invention. Perlman is limited to the request of playing and recording real-time video games. The examiner responds that in the Perlman reference "users specify which video games they would like to play, which is clearly indicative of a category," much like claims 26 and 27 of the present invention. However, as stated in the present claims, the calendar event functions comprise categories. The system in Perlman is not a calendaring system and does not performing matching of calendar events. Therefore, the rejection is improper.

As per claims 28 and 29, commerce activity, items for purchase, and favorable prices or rates (among others mentioned in the claims) are not disclosed in Perlman. The lines noted by the Examiner—column 9, lines 15-23—describe the problems with the cost of telephone calls and charges in the prior art. Perlman does not suggest or describe related commerce activities as described in the present invention. The examiner states that the offering of multi-player video game services in Perlman, column 11, lines 11-43 addresses "at least the recited categories of 'services desired' and 'services offered.'" Also, the examiner states that the "fact that users can select to pay business or off-hour rates by logging in" signifies the users have "the opportunity to log in to play a game when connection rates are cheapest, i.e. most favorable." However, the present invention requires the use of an electronic calendar system, wherein said categories are a part of the match(es) that are made according to the particular duration of time. Logging in during a specified time in the Perlman reference does not provide the electronic calendar matching performed by the match engine as described in the present claims.

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

Claims 32-39 recite limitations as described by claims 23-31. Because Perlman fails to provide or anticipate each and every element in claim 23, and similar limitations are described in independent claim 32 and dependent claims 33-39, Perlman fails to provide each and every element, including the electronic calendaring system, calendar store, and the matching of requirements and attributes of an event until it is satisfied, as described in the claims. The examiner notes that Perlman describes removing a user from a request once the request is fulfilled; that is, once the request for a user to play a real-time video game is met, the user can no longer be matched with another user. However, in the electronic calendaring system of the present invention, the matching process continues matching according to the calendar events and their requirements and attributes that are available. Claim 38 describes notifying users when an attendee deletes an event from their calendaring system. The Examiner has incorrectly correlated the users of Perlman being matched (while logged-in) with the deletion of an event. The examiner notes that once users log off of the video game system, they effectively delete their "event match." However, in the present invention, the deletion of an event match is performed by a user selecting a calendar event and removing it from a calendar schedule.

The prior art fails to provide or render obvious the electronic calendaring system claimed in the present invention, namely a calendar system with a matching service that allows a user to locate other entities or parties who can participate in the match interest or need during a particular period of time.

SUMMARY

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicant's presently claimed invention, nor render them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this Appeal Brief has been timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby

authorized to charge any deficiencies in the fees provided, to include an extension of time, to
Deposit Account No. 09-0441.

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

Respectfully submitted by
Applicant's Representative,

Jaclyn A. Schade
Reg. No. 50,569

1725 Duke Street
Suite 650
Alexandria, VA 22314
(703) 838-7683

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

Claims Appendix:

23. An electronic calendar event matching system, said system comprising:
a calendar store,
a match server operatively connected to said calendar store by an electronic calendar application, said match server comprising:
a request handler operatively connected to an event handler, said request handler routing requests for calendar event functions to said event handler, said event handler allowing for the registration, modification, or deletion of an event;
an event repository, said event repository cooperating with said event handler to store and update calendar event functions;
a response handler operatively notifying a requesting first entity that said calendar event has been registered, modified, or deleted, and
a match engine performing a search of said event repository to locate a match for registered events of said first entity with a registered event of at least one second entity, said match fulfilling the period of time, event criteria, minimum matching requirements, and attributes of an activity or an entity.
24. An electronic calendar event matching system, as per claim 23, wherein said system further comprises a timer module and said match engine searches for matching events according to a schedule of said timer module.
25. An electronic calendar event matching system, as per claim 23, wherein upon location of a match of a calendar event, said response handler notifies said first entity and said second entity via said electronic calendar application.
26. An electronic calendar event matching system, as per claim 23, wherein said calendar event functions comprise categories.
27. An electronic calendar event matching system, as per claim 26, wherein said categories

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

comprise at least one of: personal matching, job positions, job qualifications, meetings and activities.

28. An electronic calendar event matching system, as per claim 26, wherein said categories comprise any of a commerce activity, service desired, service offered, item for sale, item desired for purchase, request for quote, delivery or pickup of an item or person(s), replenishment of supplies, or the reservation of the use of a facility, place, vehicle or object.

29. An electronic calendar event matching system, as per claim 28, wherein a multiplicity of times for a commerce activity are available at variable prices or rates and which the most favorable price or rate is selected.

30. An electronic calendar event matching system, as per claim 23, wherein said system may be implemented locally or remotely on one or more computer-based systems, across networks or existing communication mediums.

31. An electronic calendar event matching system, as per claim 30, wherein said across networks element comprises any of LANs, WANs, cellular, Internet or Web based networks.

32. A method for determining a match for electronic calendar events, said method comprising:

registering and storing said calendar events in an event repository of an electronic calendaring system, said calendar event elements comprising: specific event criteria, event match requirements, and attributes,

notifying each event owner that said calendar event is registered,
searching said event repository to match registered events, said match considering said event occurring during a period of time and satisfying at least said specific event criteria of said calendar event elements,

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

electronically updating said event to reflect a match by adding event owners as attendees,
and,

if said event match requirements and attributes are satisfied,

moving said matched events from an event repository to a match repository and
notifying said attendees of said match,

else,

returning to said searching step until all calendar elements are fully satisfied.

33. A method for determining a match for electronic calendar events, as per claim 32,
wherein said calendar event elements are represented by one or more categories.

34. A method for determining a match for electronic calendar events, as per claim 33,
wherein said categories comprise at least one of personal matching, job positions, job
qualifications, meetings and activities.

35. A method for determining a match for electronic calendar events, as per claim 32,
wherein said method may be implemented locally or remotely on one or more computer-based
systems, across networks or existing communication mediums.

36. A method for determining a match for electronic calendar events, as per claim 34,
wherein said across networks element comprises any of LANs, WANs, cellular, Internet or Web
based networks.

37. A method for determining a match for electronic calendar events, as per claim 32,
wherein fully satisfied event matches initiate removing said matched calendar events from said
event repository.

Serial No. 09/356,303
Group Art Unit 3623
Docket No: AM9-99-0134

38. A method for determining a match for electronic calendar events, as per claim 32, wherein said matches are modified to remove, from the matched event, an attendee who deletes said matched event.

39. An article of manufacture comprising a computer user medium having computer readable program code embodied therein which provides a generic matching service utilizing an electronic calendar system including calendar events comprising:

computer readable program code for registering and storing said calendar events in an event repository, said calendar event elements comprising: specific event criteria, event match requirements, and attributes,

computer readable program code for notifying each event owner that said calendar event is registered,

computer readable program code for searching said event repository to match registered events, said match considering said event occurring during a period of time and satisfying at least said specific event criteria of said calendar event elements,

computer readable program code for updating said event to reflect a match by adding event owners as attendees,

computer readable program code to determine if said event match requirements and attributes are fully satisfied,

if fully satisfied,

said code moving said matched events from an event repository to a match repository and notifying said attendees of said match,

else,

said code returning to said searching step until all calendar elements are fully satisfied.

Evidence Appendix

None

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

Related Proceedings Appendix

None

Serial No. 09/556,303
Group Art Unit 3623
Docket No: AM9-99-0134

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.